

ARTICLE 1. ADMINISTRATION

R4-23-110. Definitions

In addition to definitions in A.R.S. § 32-1901, the following definitions apply to 4 A.A.C. 23:

"Declared disaster areas" means areas designated by the governor or by a county, city, or town under A.R.S. § 32-1910 as those areas that have been adversely affected by a natural disaster or terrorist attack and require extraordinary measures to provide adequate, safe, and effective health care for the affected population.

"Mobile pharmacy" means a pharmacy that is self propelled or movable by another vehicle that is self propelled.

"State of emergency" means a governmental declaration issued as a result of a natural disaster or terrorist attack that results in individuals being unable to refill existing prescriptions.

"Temporary pharmacy facility" means a facility established as a result of a declared state of emergency to temporarily provide pharmacy services within or adjacent to declared disaster areas.

ARTICLE 4. PROFESSIONAL PRACTICES

R4-23-412. ~~Reserved~~ Emergency Refill Prescription Dispensing

- A. When a state of emergency is declared under A.R.S. § 32-1910(A) or (B) and the state of emergency results in individuals being unable to refill existing prescriptions, a pharmacist may work in the affected county, city, or town and may dispense to an affected individual a one-time emergency refill prescription of up to a 30-day supply of a prescribed medication if both of the following apply:

1. In the pharmacist's professional opinion the medication is essential to the maintenance of life or to the continuation of therapy, and
 2. The pharmacist makes a good faith effort to reduce the information to a written prescription marked "emergency prescription" and files and maintains the prescription as required by law.
- B.** If the state of emergency declared under A.R.S. § 32-1910(A) or (B) continues for at least 21-days after the pharmacist dispenses an emergency prescription under subsection (A), the pharmacist may dispense one additional emergency refill prescription of up to a 30-day supply of the prescribed medication if the pharmacist complies with subsection (A)(2).
- C.** A pharmacist's authority to dispense emergency prescriptions under this Section ends when the declared state of emergency is terminated.

R4-23-413. ~~Reserved~~ Temporary Recognition of Nonresident Licensure

- A.** When a state of emergency is declared under A.R.S. § 32-1910(A) or (B):
1. A pharmacist who is not licensed in this state, but who is currently licensed in another state, may dispense prescription medications in those affected counties, cities, or towns in this state during the time that a declared state of emergency exists under A.R.S. § 32-1910(A) or (B) if both of the following apply:
 - a. The pharmacist provides proof of current licensure in another state, and
 - b. The pharmacist is engaged in a legitimate relief effort during the period of time a declared state of emergency exists.
 2. Acting under the direct supervision of a pharmacist, a pharmacy technician or pharmacy intern not licensed in this state, but currently licensed or registered in another state, may assist a pharmacist in dispensing prescription medications in

affected counties, cities, or towns in this state during the time that a declared state of emergency exists under A.R.S. § 32-1910(A) or (B) if both of the following apply:

- a. The pharmacy technician or pharmacy intern provides proof of current licensure in another state, and
- b. The pharmacy technician or pharmacy intern is engaged in a legitimate relief effort during the period of time a declared state of emergency exists.

B. The temporary recognition of nonresident licensure or registration shall cease with the termination of the declared state of emergency.

ARTICLE 6. PERMITS AND DISTRIBUTION OF DRUGS

R4-23-617. ~~Reserved~~ Temporary Pharmacy Facilities or Mobile Pharmacies

A. Pharmacies located in declared disaster areas, nonresident pharmacies, and pharmacies licensed or permitted in another state but not licensed or permitted in this state, if necessary to provide pharmacy services during a declared state of emergency, may arrange to temporarily locate or relocate to a temporary pharmacy facility or mobile pharmacy if the temporary pharmacy facility or mobile pharmacy:

- 1. Is under the control and management of the pharmacist-in-charge or a designated supervising pharmacist;
- 2. Is located within or adjacent to the declared disaster area;
- 3. Notifies the Board of its location;
- 4. Is properly secured to prevent theft and diversion of drugs;
- 5. Maintains records in accordance with Arizona statutes and rules; and

6. Ceases the provision of pharmacy services with the termination of the declared state of emergency, unless it possesses a current resident pharmacy permit issued by the Board under A.R.S. §§ 32-1929, 32-1930, and 32-1931.
- B.** The Board, in accordance with Board rules, shall have the authority to approve or deny temporary pharmacy facilities and mobile pharmacies and shall make arrangements for appropriate monitoring and inspection of the temporary pharmacy facilities and mobile pharmacies on a case-by-case basis. Approval of temporary pharmacy facilities and mobile pharmacies will be based on the need, type, and scope of the declared state of emergency, as well as the ability of the temporary pharmacy facilities or mobile pharmacies to comply with state and federal drug law.
- C.** A temporary pharmacy facility wishing to permanently operate at its temporary site shall apply for and receive a permit issued under A.R.S. §§ 32-1929, 32-1930, and 32-1931.
- D.** A mobile pharmacy, placed in operation during a declared state of emergency, shall not operate permanently.